

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

OCT 23 1998

MICHAEL N. MILBY, Clerk

STAN C. THORNE, individually, and on) Case No. H98-2494
behalf of those similarly situated,)

Plaintiff,)

v.)

EEX CORPORATION, ENSERCH)
CORPORATION, DEGOLYER &)
MACNAUGHTON, DAVID W. BIEGLER,)
GARY J. JUNCO, FREDERICK S. ADDY,)
AND B.K. IRANI,)

Defendants.)

STIPULATION AND ORDER

WHEREAS, on August 3, 1998 plaintiff filed his Class Action Complaint (the "Complaint") in the above-referenced action (the "Action") for alleged violations of the federal securities laws;

WHEREAS, on August 3, 1998 a related class action complaint styled Gracy Fund L.P., et al. v. EEX Corporation, et al., Case No. 3-98-CV-1808-G, was filed in the United States District Court for the Northern District of Texas, Dallas Division (the "Northern District Action"), and names some of the same defendants in this Action, asserts similar claims and arises from a set of facts common to this Action;

WHEREAS, on October 5, 1998 defendants filed a motion to transfer this Action to the Northern District of Texas pursuant to 28 U.S.C. § 1404(a) for the convenience of the parties and witnesses and in order to permit consolidation of this Action with the Northern District Action;

1 WHEREAS, plaintiffs and defendants have now agreed that the Action should be
 2 transferred to the Northern District of Texas, Dallas Division, pursuant to 28 U.S.C. § 1404(a)
 3 and consolidated with the Dallas Action pursuant to Rule 42(a) of the Federal Rules of Civil
 4 Procedure;

5 NOW THEREFORE, IT IS HEREBY STIPULATED by the parties, by and
 6 through their respective counsel of record, as follows:

7 (1) The Action shall be transferred to the Northern District of Texas, Dallas
 8 Division, pursuant to 28 U.S.C. § 1404(a); and

9 (2) The Action shall be consolidated with Northern District Action for all
 10 purposes as one action pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

11 Dated: _____, 1998 Respectfully submitted,

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 13 By:



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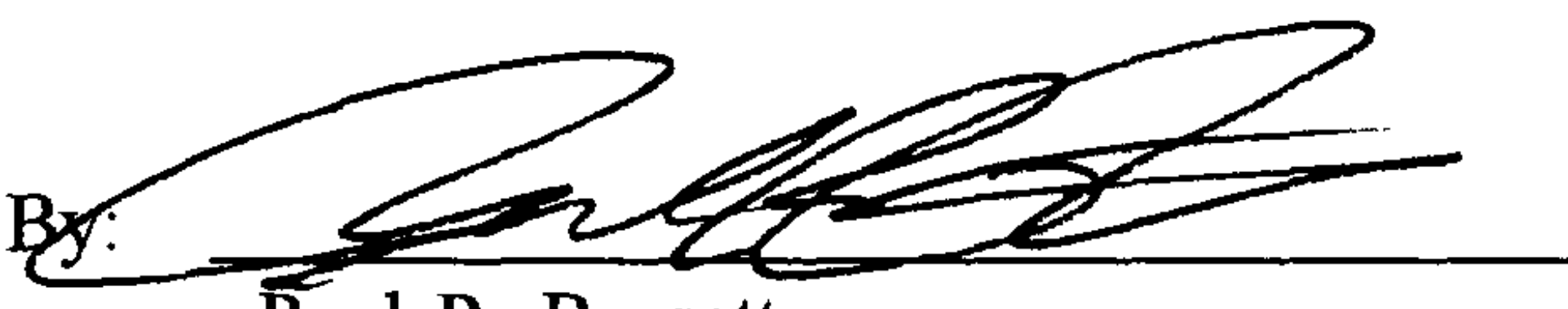
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Dated: 10/23 1998 Respectfully submitted,

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1 Dated: _____, 1998 Respectfully submitted,

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Dated: 10/21/98, 1998 Respectfully submitted,

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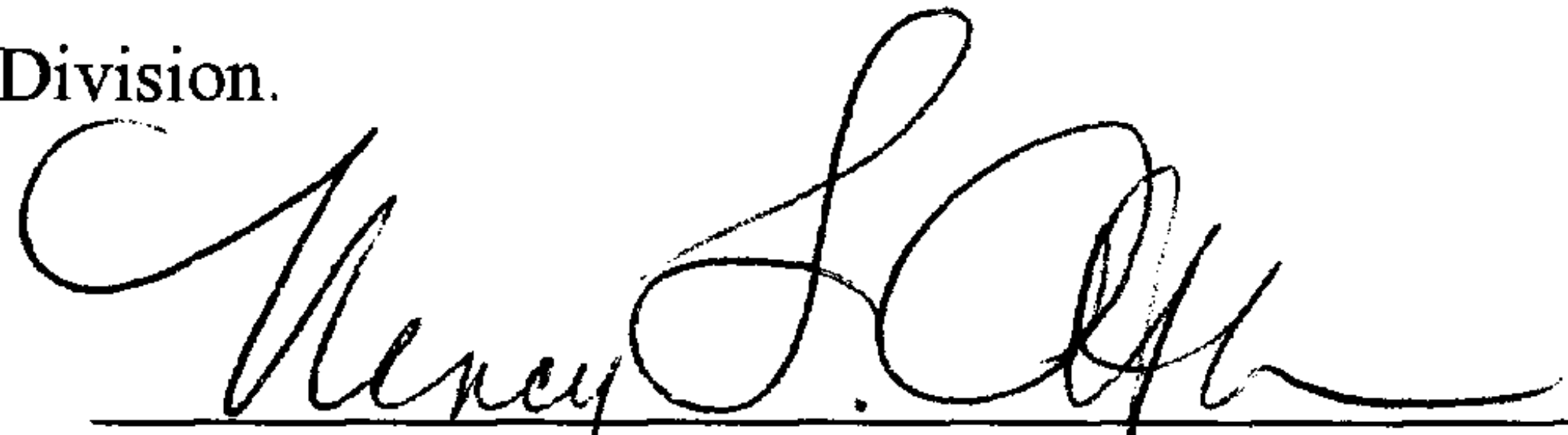
27 Attorneys for Defendant DeGolyer & MacNaughton

28 * * *

ORDER

The Court, having reviewed the Stipulation of the parties that this action be transferred to the Northern District of Texas, Dallas Division, pursuant to 28 U.S.C. § 1404(a), and good cause appearing therefore, it is hereby ordered that this action be, and hereby is, transferred to the Northern District of Texas, Dallas Division.

Dated: Oct. 26, 1998


THE HONORABLE NANCY ATLAS
UNITED STATES DISTRICT JUDGE